

DRAFT

Governor's Blue Ribbon Water Task Force

**Meeting Notes
May 25-26, 2005
Albuquerque, NM**

Attendees: Larry Blair, Brian Burnett, Conci Bokum, Frank Chaves, John D'Antonio, Eileen Grevey, Steve Hernandez, Lisa Henne, Sarah Kotchian, Elmer Lincoln, Estevan Lopez, Paul Paryski, Bob Vocke, and Jack Westman attended the meeting. Guests included Judge Gerald Valentine (Lower Rio Grande basin adjudication), Judge pro tempore Rozier Sanchez (San Juan Stream Adjudication), Judicial Assistant Beverly Eimer, and 5th Judicial District Water Clerk Maureen Nelson.

The next meeting of the BRWTF will be June 22-23, 2005 at the OSE/ISC offices (121 Tijeras, Albuquerque, NM).

Task Force member news and updates included the following points:

- OSE determinations on the legality of water harvesting will be a critical issue for recommendations developed through the upcoming workshop, "Managing Landscapes and Watersheds for Water Resources". Paul Paryski is coordinating the workshop planning for the Jemez y Sangre Regional Water Planning Council. The workshop will be held September 20-22, 2005 at the Sweeney Center in Santa Fe.
- The hearing judge in the order to show cause for the San Juan stream adjudication ruled that the case should proceed. A committee of users was formed to put together a schedule for adjudication.
- All users in the San Juan basin, including the Navajo Nation, have endorsed the 2005 shortage sharing agreement.
- The disposition of current year water allotments during property sales has been an issue in the Elephant Butte Irrigation District, with lack of clear agreements about who has the right to the remainder of the allotment and who pays the bill. It was suggested that water transfers should be included as part of the core coursework (legal aspects) in the annual mandatory education required by the Real Estate Commission.
- Four seats on the board for the Middle Rio Grande Conservancy District are up for reelection (June 7 election):
 1. Position No. 3 - Director for Bernalillo County
 2. Position No. 4 - Director for Bernalillo County
 3. Position No. 6 - Director for Socorro County
 4. Position No. 7 - Director for Sandoval County
- New Mexico has been out of Article 7 of the Rio Grande Compact since May 20.
- Jemez y Sangre Regional Water Planning Council evaluated level of implementation for JyS regional plan and found that it was fairly good. It has been proposed that regional water planners convene this summer to discuss implementation of regional plans.
- Re: San Juan Chama Albuquerque settlement. Water storage in Abiquiu implies that Middle Rio Grande Conservancy District involved, but MRGCD is not a party to the settlement. OSE not part of agreement, but will need to be involved in permitting activities.
- Senator Dominici is significantly restructuring governance of the Endangered Species Collaborative Program.
- "Green" developments were discussed. Due to lack of standardization in how water use is calculated, it is difficult to evaluate the water use for these developments. How to actual water use numbers compare to projections? It was suggested that the state help set benchmarks and best practices for green developments. A field trip to a completed green development was also suggested.
- A three-article series on global warming published recently in the New Yorker can be found at:
http://www.newyorker.com/fact/content/?050425fa_fact3
http://www.newyorker.com/fact/content/?050502fa_fact3
http://www.newyorker.com/fact/content/?050509fa_fact3

OSE/ISC Report:

Water levels for various reservoirs (permitted capacity, not flood storage) were discussed:

- Cabresto dam (near Questa) was spilling over and dam safety issues were raised. OSE had staff watching dam, but was not expecting it to fail – clear water indicated that flows were not eroding the embankment.
- Potential for conservation spills at some dams.
- Water levels peaking at end of May and starting to come down.

Active Water Resource Management (AWRM):

- The Lower Pecos, Lower Rio Grande, and San Juan basins have been elevated to higher priority.
- OSE has communication plans to provide information and try to get sufficient public involvement. Media visits were conducted on 5/9 for the lower Rio Grande to provide information on AWRM metering, resulting in an article in the Las Cruces Sun News and public radio interviews. OSE is also conducting media visits in Pecos.

Metering Order Implementation:

- Who will pay for implementation of metering order? Senator Bingaman is of the opinion that it is a state issue and that the state should pay for it. Upcoming legislation will look for funding.
- Task Force to look at water metering implementation statewide. The OSE will stay on schedule with the metering order date. A comment was made that the public is generally unaware of or responding to the well metering requirement coming into effect by March 1, 2006.
- Shared domestics and critical management areas require meters. Private domestic wells are not required to have meters.
- OSE interested in integrating new technology so that FTE effort for metering implementation is lower. Governor's innovation fund money could be used for remote meter reading, which would be more expensive initially, but easier in the long run.

Other OSE Updates:

- OSE has been criticized for insufficient oversight of private wells in the Tesuque/Nambe/Pojoaque area. A recent study showed that actual average use was lower than thought (0.29 AF/Y). Metering encourages conservation, and will also help with settlement.
- The past few years of water shortage has shown the need for a management system. OSE information dissemination is helping to get buy-in from the public.
- OSE water master activities are to supplement and complement irrigation districts, not to supplant them.

OSE Strategic Planning Retreat Main Issues:

1. Contracts and Managing Contracts

- State agencies lack capability and resources to manage and oversee contracts.
- “Modified accrual” accounting means that funding can't carry over across fiscal years. This is not workable for OSE because of having many multi-year projects. OSE is putting together spreadsheets for justifying authorization for multi-year projects. Requests are due September 1st for future funding. GBRWTF members proposed that the Task Force write a white paper to support OSE in requests for multi-year funding. Five-year capital improvement plans, which anticipate spending for each year, could be used as example for these requests. DoT also has multi-year funding and could provide another example.

2. RFP and accountability processes need to be standardized across agency.

3. Project accounting – cost centers need to be used to better track expenditures.

4. Need new qualified employees who can do the technical work to support IT technological integration (integrating databases for administration and adjudication; metering, aerial mapping).

5. Implementation of the State Water Plan.

6. Indian water rights issues: Myron Armijo is OSE Native American Water Liaison. Working to define the type of consultation that OSE wants to foster. The one-year term of most tribal administrations makes continuity difficult to achieve.

Funding Issues

- Bonding for settlements
- Alternatives to federal government.
- How will projects and programs relying on special appropriations funding continue to be funded? (Rio Grande collaborative program, bluntnose shiner on Pecos, San Juan recovery, Gila on line, Canadian, Pecos new invertebrate species, Pecos settlement, Río Grande compact compliance, railroad project, metering, water rights issues with Navajo Nation, Navajo pipeline, salt basin developing water source, WATERS program.)
- General fund: New water masters, NEPA biologist/hydrologist, WATERS IT staff, undeclared basins, office space and housing, global strategies.
- OSE will continue to pursue funding, particularly to fund AWRM. Communication is key for the OSE to address funding needs.

OSE Live Adjudication Demo

Darío Rodriguez introduced several projects that are part of the OSE effort to make better use of technology for adjudicating water rights. For the past three years, there has been a major effort at the OSE to integrate three different databases. In particular, there has been a disconnect between water rights and adjudication data.

Rick DeSimone and Sylvia Lucero presented and demonstrated advances in the Water Administration Technical Engineering Resource System (WATERS) database. The goal is to present a common view of every water right in the state. In the existing water rights files, individual water rights were lumped together into a single record by ditch (“ditch files”), making it difficult to retrieve information about an individual water right. OSE has been creating a new, separate file for each water right holder, which is then linked to the adjudication data and other historical information for that water right, including hydrographic survey data.

Elizabeth Cervantes and Amy Louise demonstrated the Sandia Basin GIS project, which will be synchronized with WATERS. The Sandia Basin GIS includes data layers such as well locations, aerial photographs from 1930s to 2004, surface diversions, irrigated lands, multipurpose lands, and ditches. Linking the GIS to the WATERS database will allow water rights administrators to draw on map information, tabular data, and historical documents within one user environment.

Tink Jackson discussed how GIS is being used in the Upper Mimbres River to manage allocation of irrigation water. USGS discharge data and a known relationship between stream flow and the volume of water that can be diverted based on that flow are used to determine the amount of water available for irrigation. The GIS tool allows the water master to query the database for a map of all of the parcels that can be irrigated based on the available water and the seniority of water rights. This tool can be used in the field on a real-time basis.

Jim McNees presented the San Juan Pilot Project. The goal of this project is to provide as much information as possible about the current, on-the-ground conditions to support water rights adjudication. Data layers that are used to interpret current conditions include the 1938 survey that was the basis for the 1948 Echo Ditch Decree, a hydrographic survey from the 1980s, 2003 aerial photography, current ownership from the San Juan County Assessor’s Office, and administrative data from WATERS. Changes in point of diversion, point of use, purpose of use, and ownership are of particular interest.

Due to the extensive nature of these projects, additional staff (5-6 FTEs) will be needed to continue this work.

Farewell to Bob Vocke

Task Force members wished Bob Vocke well in his retirement and thanked him for his years of service, his breadth and depth of knowledge of New Mexico water issues, and his friendship.